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March 27, 2015

VIA HAND AND EMAIL

The Honorable Thomas P. Griesa
United States District Judge
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York
10007-1312

Re: *Endo Pharmaceuticals Inc. v. Roxane Laboratories, Inc.* (13-cv-3288)

Dear Judge Griesa:

Defendant Roxane Laboratories, Inc. writes to advise the Court and to provide third-party Johnson Matthey with advance notice that Roxane intends to offer into evidence documents and testimony provided by Johnson Matthey in connection with Roxane's unclean hands defense.

As the Court is aware, these documents and testimony are the product of Roxane's third-party subpoenas served on third-party Johnson Matthey. At the time the documents were produced, the parties agreed that these materials would be designated "confidential, outside counsel eyes only" and subject to the Protective Order entered in this case (D.I. 33.)

Roxane intends to present these documents and the testimony of Johnson Matthey's 30(b)(6) corporate designee without sealing the courtroom because trials are public proceedings. As was mentioned during the first day of trial, the parties agreed that the sealing of the courtroom would not be necessary and that a party seeking to maintain the confidentiality of any documents would need to raise that issue with the Court.

Roxane has copied Johnson Matthey and Endo on this communication to allow either of them to raise any objections they may have so that they may be addressed prior to the introduction of this evidence at trial.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Alan B. Clement', written over the closing text.

Alan B. Clement

cc: Suzan Jo, Esq.
Counsel of Record